

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STEVEN R. BLAIR,

Plaintiff,

vs.

DOUGLAS COUNTY,

Defendant.

8:11CV349

ORDER

This matter is before the court on the plaintiff's, Steven R. Blair (Blair), Application to Proceed in District Court Without Preparing Fees or Costs (Filing No. 159). Blair seeks to proceed in forma pauperis on appeal. When Blair initially filed this action, Blair was pro se and permitted leave to proceed in forma pauperis. **See** Filing No. 6 - Order. Blair subsequently obtained counsel but eventually reverted back to pro se status. **See** Filing Nos. 110-112. Blair filed a notice of appeal on July 7, 2014. **See** Filing No. 158. In the notice, Blair states his intention to appeal the court's order and judgment granting the defendant's, Douglas County, summary judgment motion. **See** Filing No. 155 - Order; Filing No. 156 - Judgment.

As set forth in Federal Rule of Appellate Procedure 24(a):

(3) **Prior Approval.** A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless:

- (A) the district court--before or after the notice of appeal is filed--certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding; or
- (B) a statute provides otherwise.

Fed. R. App. P. 24.

The court finds that because Blair proceeded in forma pauperis in the district court, he may now "proceed on appeal in forma pauperis without further authorization." Additionally, Blair's appeal appears to be in good faith. Accordingly,

**IT IS ORDERED:**

Blair's Application to Proceed in District Court Without Preparing Fees or Costs (Filing No. 159) is granted.

Dated this 9th day of July, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge